

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
HARRISONBURG DIVISION**

IN RE: Cynthia Deavers Forsman

MOTION TO SELL VEHICLE

Debtor(s)

Case number: 19-50909

COMES NOW the Debtor(s), Cynthia Deavers Forsman and , by counsel, pursuant to 11 U.S.C. §1303 and 11 U.S.C. §363(b), Bankruptcy Rule 2002(a)(2) and Bankruptcy Rule 6004, and respectfully represents unto the Court as follows:

1. That this is a core proceeding and this Court has jurisdiction over this issue pursuant to 28 U.S.C. §157 and 11 U.S.C. §1334.
2. That, pursuant to the U.S. Supreme Court Decision in *Stern v. Marshall*, 131 S.Ct. 2594 (2011), Debtor(s) request a final decision on the merits of this motion.
3. That your Debtor(s), Cynthia Deavers Forsman and filed a petition for relief under Chapter 13 of Title 11 of the United States Code on October 17, 2019.
4. That this Court has not confirmed a chapter 13 plan in the captioned case..
5. Debtor(s) properly listed the 2012 Mitsubishi Lancer on Schedule B previously filed with the Court and valued said vehicle, at the time of the bankruptcy petition filing, at \$5,630.00 and fully exempted this vehicle for its equity value on Schedule C of the bankruptcy petition pursuant to 11 U.S.C. §522 and Va. Code 34-26.
6. Debtor(s) desire to convey title of this 2014 Mitsubishi Lancer to a family friend pursuant to an oral agreement which Debtor entered into several years ago, at which time this friend took possession of the vehicle and began making the vehicle debt payments. The friend made 24 payments of \$273.71 (\$6,569.04) until the vehicle debt was paid in full immediately prior to the filing of the bankruptcy petition.

7. Debtor(s) does not intend to submit any sale proceeds to the Chapter 13 Trustee.

Wherefore, Debtor moves the Court to approve the conveyance of title of this 2014 Mitsubishi Lance pursuant to her prior agreement with the family friend..

/s/ Roland S. Carlton, Jr.
Counsel

Roland S. Carlton, Jr., Esq.
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V.S.B. #34138, rcarlton@carltonlegalservices.com

CERTIFICATE

I, Roland S. Carlton, Jr., do hereby certify that a true and accurate cop of this Motion To Sell Vehicle was delivered by ECF on November 15, 2019 to:

Herbert Beskin, Trustee
P. O. Box 2103
Charlottesville, VA 22902

/s/ Roland S. Carlton, Jr.
Roland S. Carlton, Jr.

**IN THE UNITED STATES BANKRUPTCY COURT
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NOTICE OF HEARING

Case number: 19-50909

PLEASE TAKE NOTICE that the undersigned will, on December 4, 2019 at 9:30 a.m., or as soon thereafter as counsel may be heard, at the Courthouse of the Federal District Court, 116 North Main Street, Harrisonburg, Virginia, move the Court to enter an Order pursuant to the Motion To Sell Vehicle which is attached to this notice and incorporated herein by reference.

Please govern yourself accordingly.

/s/ Roland S. Carlton, Jr.
Counsel

Roland S. Carlton, Jr, Esq.
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118 MacTanly Place
Staunton, VA 24401
540-213-0547
V.S.B. 34138
rcarlton@carltonlegalservices.com

CERTIFICATE

I, Roland S. Carlton, Jr, Esq., do hereby certify that a true and accurate copy of this Notice of Hearing was delivered by ECF on November 15, 2019 to:

Herbert Beskin, Trustee
P. O. Box 2103
Charlottesville, VA 22902

/s/ Roland S. Carlton, Jr.
Roland S. Carlton, Jr.